

Law Violation Definitions

This law violation guide was developed in 2005 by a collaboration of ECU law enforcement educators, local law enforcement officers, SRO's, and lawyers, and staff from the Kentucky Department of Education and the Kentucky Center for School Safety. It is intended to serve as clarification for school personnel when coding law violations upon school property. These definitions are not legally binding and should only be used to assist school personnel in coding law violations at their school for safe schools data collection purposes. For any questions that arise regarding the legal definition of a student action, please consult with your school board attorney or local law enforcement representative. Codes highlighted in yellow are reported annually to KDE, regardless of the resolution chosen.

Code	Code Description	Definition
11	Criminal Homicide	A person is guilty of criminal homicide when he causes the death of another human being under circumstances which constitute murder, manslaughter in the first degree, manslaughter in the second degree, or reckless homicide.
20	Forcible Rape	A person is guilty of forcible rape when he/she engages in sexual intercourse or deviate sexual intercourse with another person by forcible compulsion; or he/she engages in sexual intercourse/deviate sexual intercourse with another person who is incapable of consent because they are physically helpless; or is less than twelve (12) years old. "Deviate sexual intercourse" means any act of sexual gratification involving the sex organs of one person and the mouth or anus of another; or penetration of the anus of one person by a foreign object manipulated by another person (other than generally recognized health-care practices). Sexual intercourse means sexual intercourse in its ordinary sense and includes penetration of the sex organs of one person by a foreign object manipulated by another person.
30	Robbery	The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force and/or putting the victim in fear.
50	Burglary	A person is guilty of burglary when, with the intent to commit a crime, he knowingly enters or remains unlawfully in a building. A building, in addition to its ordinary meaning, means any structure, vehicle, watercraft or aircraft where any person lives or where people assemble for purposes of business, government, education, religion, entertainment or public transportation. Thus, breaking into a bus and stealing something from the bus would be counted as burglary.
60	Larceny - Theft	The intentional taking of the property of another.
70	Motor Vehicle Theft	The theft or attempted theft of a motor vehicle.

75	Kidnapping	A person is guilty of kidnapping when he/she unlawfully restrains another person and when his intent is: (a) To hold a person for ransom or reward; or (b) To accomplish or to advance a commission of a felony; or (c) To inflict bodily injury or to terrorize the victim or another; or (d) To interfere with the performance of a governmental or political function; or (e) To use a person as a shield or hostage; or (f) To deprive the parents or guardian of a the custody of a minor, when the person taking the minor is not a "person exercising custodial control or supervision" is defined in KRS 600.020.
80	Destruction of Property	Intentionally or wantonly defacing, destroying or damaging any property of which the person has no authority.
90	Arson	Any intentional burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle, or aircraft.
95	Trespassing	When a person knowingly enters or remains unlawfully in a dwelling, a building or in or upon premises.
100	Forgery	When a person, with intent to defraud, deceive or injure another, falsely makes, completes, or alters a written instrument (e.g., checks, transcripts, official identification, currency).
110	Fraud	Obtaining money or property by false pretenses.
120	Embezzlement	Misappropriating or the misapplication of money or property entrusted to one's care, custody, or control, to include altering or forging financial records.
130	Stolen Property	Violations that include buying, receiving, or possessing stolen property.
140	Vandalism	The intentional destruction, injury, disfigurement, or defacement (i.e., by cutting, tearing, breaking, marking, painting, drawing, or covering with filth) of any public or private property without the consent of the owner or person having custody or control.
151	Weapon - Handgun	A handgun is any pistol or revolver originally designed to be fired by the use of a single hand, or any other firearm originally designed to be fired by the use of a single hand. A firearm is any weapon that will expel a projectile by the action of an explosive. This offense encompasses manufacture, sale, or possession of handguns on school property or at a school function. <i>(By Kentucky law KRS 527.070, this excludes students 18 years of age and older who have these firearms in their automobile on school property).</i>

152	Weapon - Rifle	A rifle is a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger. This category also includes shotguns . This offense encompasses sale or possession of rifles or shotguns on school property or at a school function. <i>(By Kentucky law KRS 527.070, this excludes students 18 years of age and older who have these firearms in their automobile on school property).</i>
153	Weapon/Other Firearm	Weapons other than handguns, rifles, or shotguns that will expel a projectile by the action of an explosive. Examples of other firearms include air guns (that use pneumatic pressure or pressurized cartridges to fire a projectile) also known as BB guns and other homemade firearms. <i>(By Kentucky law KRS 527.070 this excludes students 18 years of age and over who have these firearms in their automobile on school property).</i>
154	Weapon - Other	Any object capable of being readily used by one person to inflict severe bodily injury upon another person. Examples include (but are not limited to) knives, artificial knuckles, club, baton, and nunchaku karate sticks. This offense encompasses manufacture, sale, or possession of these types of weapons on school property or at a school function. <i>(By Kentucky law KRS 527.070 this excludes students 18 years of age and over who have these weapons in their automobile on school property).</i>
160	Prostitution	A person is guilty of prostitution when he or she engages or agrees or offers to engage in sexual conduct with another person in return for a fee or something of value. Also includes keeping a "bawdy house", procuring, or transporting women for immoral purposes.
171	Indecent Exposure	A person is guilty of indecent exposure when he or she intentionally exposes his or her genitals under circumstances in which he or she knows, or should know, that his or her conduct is likely to cause affront or alarm to another person on school grounds or at a school function.
172	Statutory Rape	A person is guilty of statutory rape (in KY, rape in the second degree) when: (a) Being eighteen (18) years old or more, engages in sexual intercourse with another person less than fourteen (14) years old; or (b) He/she engages in sexual intercourse with another person who is mentally incapacitated; or (c) Being twenty-one (21) years old or more, engages in sexual intercourse with another person less than sixteen (16) years old.

174	Sexual Assault (Unwanted touching in a sexual manner)	A person is guilty of sexual assault when: (a) He/she subjects another person to sexual contact (touching intimate parts) by forcible compulsion; or (b) He/she subjects another person to sexual contact who is incapable of consent because he: is physically helpless; less than twelve (12) years old; or is mentally incapacitated.
Each of the codes in the 1800 series includes possession and/or distribution of the drug in question on school property or at a school-sponsored function.		
1801	Other Drug Possession and Use	Includes possession and use of controlled substances or unauthorized possession of over-the-counter drugs not specifically listed elsewhere in the 1800 violation codes. (e.g., bath salts, cold medicines)
1802	Other Drug Distribution	Includes sale and/or distribution of controlled substances or unauthorized possession of over-the-counter drugs not specifically listed elsewhere in the 1800 violation codes.
1811	Alcohol Possession and Use	Includes possession and use of a liquor, brew, or mixture containing alcohol. (e.g., beer, whiskey, and wine)
1812	Alcohol Distribution	Includes sale and/or distribution of a liquor, brew, or mixture containing alcohol. (e.g., beer, whiskey, and wine)
1821	Marijuana/hashish Possession and Use	Includes possession and use of marijuana or hashish.
1822	Marijuana Distribution	Includes sale and/or distribution of marijuana.
1831	Hallucinogenic Possession and Use	Includes possession and use of a psychoactive drug that induces hallucinations or altered sensory experiences (e.g., LSD, PCP).
1832	Hallucinogenic- Distribution	Includes sale and/or distribution of a psychoactive drug that induces hallucinations or altered sensory experiences (e.g., LSD, PCP).
1841	Amphetamines Possession and Use	Includes possession and use of amphetamine or methamphetamine.
1842	Amphetamines Distribution	Includes sale and/or distribution of amphetamine or methamphetamine.
1851	Barbiturates Possession and Use	Includes possession and use of barbiturates. Barbiturates are organic compounds that produce sedative and hypnotic effects (e.g., Nembutal, Luminal, Seconal, Pentothal).

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1852	Barbiturates Distribution	Includes sale and/or distribution of barbiturates. Barbiturates are organic compounds that produce sedative and hypnotic effects (e.g., Nembutal, Luminal, Seconal, Pentothal).
1861	Heroin Possession and Use	Includes possession and use of heroin.
1862	Heroin Distribution	Includes sale and/or distribution of heroin.
1871	Cocaine/crack Possession and Use	Includes possession and use of cocaine or crack.
1872	Cocaine/crack Distribution	Includes sale and/or distribution of cocaine or crack.
1881	Prescription Drug Possession and Use	Includes unauthorized possession and use of medications that are available only with prescriptions from a doctor or dentist to a pharmacist.
1882	Prescription Drug Distribution	Includes unauthorized sale and/or distribution of medications that are available only with prescriptions from a doctor or dentist to a pharmacist.
1891	Inhalant Possession and Use	Includes possession and use of Inhalants.
1892	Inhalant Distribution	Includes sale and/or distribution of Inhalants.
190	Gambling	Staking or risking something of value upon the outcome of a contest, game, gaming scheme, or gaming device which is based upon an element of chance; in accord with an agreement or understanding that someone will receive something of value in the event of a certain outcome, on school property or at a school-sponsored event. This does not include school-sanctioned activities of chance.
210	DUI (Driving Under the Influence)	Operating a motor vehicle with a blood alcohol concentration at or above 0.08 for those above 21 and 0.02 for those under age 21; or while under the influence of alcohol or other substance which impairs driving ability.
230	Under Influence	Includes all offenses of intoxication (with the exception of driving under the influence). In Kentucky, this offense equates to alcohol intoxication and/or public intoxication, which occurs when a person appears in a public place manifestly under the influence of alcohol, a controlled substance, or other intoxicating substance.

240	Disorderly Conduct	Committing a breach of the peace. In Kentucky, a person is guilty of disorderly conduct when in a public place and with intent to cause public inconvenience, annoyance or alarm, or creating a risk thereof, he/she: (a) Engages in fighting or in violent, tumultuous or threatening behavior; or (b) Makes unreasonable noise; or (c) Refuses to obey an official order to disperse issued to maintain public safety in dangerous proximity to a fire, hazard or other emergency; or (d) Creates a hazardous or physically offensive condition by any act that serves no legitimate purpose.
260	Other	All offenses not included in another code the current list of law violations, to include (but not limited to) blackmail and extortion, criminal anarchism, criminal syndicalism, and kidnapping.
280	Loitering	A person is guilty of loitering when he/she: (a) Loiters or remains in a public place for the purpose of gambling with cards, dice or other gambling paraphernalia, or (b) Loiters or remains in a public place for the purpose of unlawfully using a controlled substance; or (c) Loiters or remains in or about a school, college or university building or grounds, not having any reason or relationship involving custody of or responsibility for a pupil or student or any other specific legitimate reason for being there, and not having written permission from anyone authorized to grant such permission.
<p>*For purposes of the school setting, an individual who intentionally uses a deadly weapon, dangerous instrument, or other means to cause serious physical injury to another is guilty of Assault in the first degree. This is the most serious assault; its code should be reserved for situations when the intent of the offender is to cause death or serious injury. To meet these criteria, the victim has to incur potential life threatening injury, serious disfigurement, or prolonged loss of the use of a body part from the incident.</p>		
301	1st Degree Assault*	A person is guilty of assault in the first degree when: (a) He intentionally causes serious physical injury to another person by means of a deadly weapon or a dangerous instrument; or (b) Under circumstances manifesting extreme indifference to the value of human life, wantonly engages in conduct which creates a grave risk of death to another and thereby causes serious physical injury to another person. <i>Assault in the first degree is a Class B Felony.</i>

302	2nd Degree Assault	<p>A person is guilty of assault in the second degree when he/she:</p> <p>(a) Intentionally causes serious physical injury to another person; or (b) Intentionally causes physical injury to another person by means of a deadly weapon or a dangerous instrument; or (c) Wantonly causes serious physical injury to another person by means of a deadly weapon or a dangerous instrument.</p> <p><i>Assault in the second degree is a Class C felony.</i></p>
303	3rd Degree Assault	<p>A person is guilty of assault in the third degree when he/she:</p> <p>(a) Recklessly, with a deadly weapon or dangerous instrument, or intentionally causes or attempts to cause physical injury to;</p> <ol style="list-style-type: none"> 1. A state, county, city, or federal peace officer 2. An employee of a detention facility, or state residential treatment facility or state staff secure facility for residential treatment which provides for the care, treatment, or detention of a juvenile charged with or adjudicated delinquent because of a public offense or as a youthful offender; 3. An employee of the Department for Community Based Services employed as a social worker to provide direct client services, if the event occurs while the worker is performing job-related duties; 4. A probation and parole officer; 5. A transportation officer appointed by a county fiscal court or legislative body of a consolidated local government, urban-county government, or charter government to transport inmates when the county jail or county correctional facility is closed while the transportation officer is performing job-related duties; 6. A public or private elementary or secondary school or school district classified or certified employee, school bus driver, or other school employee acting in the course and scope of the employee's employment; or 7. A public or private elementary or secondary school or school district volunteer acting in the course and scope of that person's volunteer service for the school or school district; or <p>(b) Being a person confined in a detention facility, or state residential treatment facility or state staff secure facility for residential treatment which provides for the care, treatment, or detention of a juvenile charged with or adjudicated delinquent because of a public offense or as a youthful offender, inflicts physical injury upon or throws or causes feces, or urine, or other bodily fluid to be thrown upon an employee of the facility.</p> <p><i>Assault in the third degree is a Class D Felony.</i></p>

304	4th Degree Assault	A person is guilty of assault in the fourth degree when he/she: (a) Intentionally or wantonly causes physical injury to another person; or (b) With recklessness, causes physical injury to another person by means of a deadly weapon or dangerous instrument. <i>Assault in the fourth degree is a Class A misdemeanor.</i>
305	Menacing	A person is guilty of menacing when he/she intentionally places another person in reasonable apprehension of imminent physical injury. <i>Menacing is a Class B misdemeanor.</i>
306	Felony Wanton Endangerment	A person is guilty of wanton endangerment in the first degree when, under circumstances manifesting extreme indifference to the value of human life, he/she wantonly engages in conduct which creates a substantial danger of death or serious physical injury to another person. <i>Wanton endangerment in the first degree is a Class D felony.</i>
307	Misdemeanor Wanton Endangerment	A person is guilty of wanton endangerment in the second degree when he/she wantonly engages in conduct which creates a substantial danger of physical injury to another person. <i>Wanton endangerment in the second degree is a Class A misdemeanor.</i>
308	Felony Criminal Abuse	(1) A person is guilty of criminal abuse in the first degree when he/she intentionally abuses another person or permits another person of whom he/she has actual custody to be abused and thereby: (a) Causes serious physical injury; or (b) Places him in a situation that may cause him serious physical injury; or (c) Causes torture, cruel confinement or cruel punishment to a person twelve years of age or less, or who is physically helpless or mentally helpless. 2) A person is guilty of criminal abuse in the second degree when he wantonly abuses another person or permits another person of whom he has actual custody to be abused and thereby: (a) Causes serious physical injury; or (b) Places him in a situation that may cause him serious physical injury; or (c) Causes torture, cruel confinement or cruel punishment to a person twelve years of age or less, or who is physically helpless or mentally helpless. <i>Criminal abuse in the first degree is a Class D felony.</i>

309	Misdemeanor Criminal Abuse	(1) A person is guilty of criminal abuse in the third degree when he recklessly abuses another person or permits another person of whom he has actual custody to be abused and thereby: (a) Causes serious physical injury; or (b) Places him in a situation that may cause him serious physical injury; or (c) Causes torture, cruel confinement or cruel punishment to a person twelve (12) years of age or less, or who is physically helpless or mentally helpless. <i>Criminal abuse in the third degree is a Class A misdemeanor.</i>
310	Terroristic Threat	Activating fire alarms
320	Terroristic Threat – Bomb	Bomb threats or threats of other explosive devices
330	Terroristic Threat - Chem/Bio/Nuclear	Chemical, biological, or nuclear threats
340	Felony Stalking	(1) A person is guilty of stalking in the first degree: (a) When he intentionally: 1. Stalks another person; and 2. Makes an explicit or implicit threat with the intent to place that person in reasonable fear of: a. Sexual contact as defined in KRS 510.010; b. Serious physical injury; or c. Death; and (b) 1. A protective order has been issued by the court to protect the same victim or victims and the defendant has been served with the summons or order or has been given actual notice; or 2. A criminal complaint is currently pending with a court, law enforcement agency, or prosecutor by the same victim or victims and the defendant has been served with a summons or warrant or has been given actual notice; or 3. The defendant has been convicted of or pled guilty within the previous five (5) years to a felony or to a Class A misdemeanor against the same victim or victims; or 4. The act or acts were committed while the defendant had a deadly weapon on or about his person. <i>Stalking in the first degree is a Class D felony.</i>

341	Misdemeanor Stalking*	(1) A person is guilty of stalking in the second degree when he intentionally: (a) Stalks another person; and (b) Makes an explicit or implicit threat with the intent to place that person in reasonable fear of: 1. Sexual contact as defined in KRS 510.010; 2. Physical injury; or 3. Death <i>Stalking in the second degree is a Class A misdemeanor.</i>
350	Harassing Communications	(1) A person is guilty of harassing communications when, with intent to intimidate, harass, annoy, or alarm another person, when he or she: a) Communicates with a person, anonymously or otherwise, by telephone, telegraph, mail, or any other form of written communication in a manner which causes annoyance or alarm and serves no purpose of legitimate communication; (b) Makes a telephone call, whether or not conversation ensues, with no purpose of legitimate communication; or (c) Communicates, while enrolled as a student in a local school district, with or about another school student, anonymously or otherwise, by telephone, the Internet, telegraph, mail, or any other form of electronic or written communication in a manner which a reasonable person under the circumstances should know would cause the other student to suffer fear of physical harm, intimidation, humiliation, or embarrassment and which serves no purpose of legitimate communication. <i>Harassing communications is a Class B misdemeanor.</i>
2000	IAES for Weapon – SPED only	Refer to IAES Definitions
2001	IAES for Drug – SPED only	Refer to IAES Definitions
2003	IAES for Injury – SPED only	Refer to IAES Definitions

**Any questions related to behavior, discipline, or school safety issues should be directed to:
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